

REMARKS

This application has been carefully reviewed in light of the Office Action dated December 22, 2004. Claims 1 to 9, 13, 15, 16, 18 and 19 are in the application, of which Claims 1 and 9 are independent. Reconsideration and further examination are respectfully requested.

Applicant thanks the Examiner for his indication of allowable subject matter in dependent Claim 12. In keeping with this indication, Claims 10 to 12 have been cancelled, and the substance of Claim 12 has been incorporated into independent Claim 9. It is therefore believed that Claims 9, 13 and 16 are fully in condition for allowance.

Claim 6 was rejected under 35 U.S.C. § 112, second paragraph, for alleged indefiniteness. In response, Claim 6 has been amended so as to emphasize the interconnectedness between the second optical element recited therein and the elements recited in independent Claim 1. Withdrawal of the § 112 rejection is therefore respectfully requested.

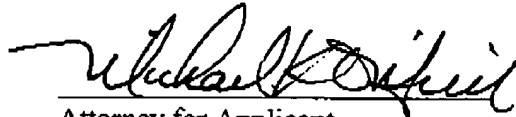
Claims 1, 2, 8 to 11 and 13 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 4,937,664 (Chiku) in view of U.S. Patent 5,963,356 (Kato '356), and the remaining claims (except for claim 12) were rejected further in view of U.S. Patent 6,822,666 (Kato '666) or U.S. Patent 5,889,594 (Maekawa). The rejections of Claims 9, 13 and 16 have been attended to by amendment, as described above. Reconsideration and withdrawal of the remaining rejections are respectfully requested.

The invention of independent Claim 1 concerns optical scanning of a scanned surface, and addresses the problem of magnification deviation in a main scanning direction. To address this problem, Claim 1 provides for a scanning position detecting unit for detecting the deflected beam on the scanned surface at a position corresponding to one image height separate from the optical axis of a scanning optical element. According to this feature of the invention, it is possible to detect when the deflected beam deviates from an expected position.

Chiku, on the other hand, provides for mark detectors 11 and 12 for detecting a positional deviation of markings MC1 and MC2, but mark detectors 11 and 12 detect markings MC1 and MC2 on conveyor 7, and therefore do not correspond to the claimed scanning position detecting unit which detects the deflected beam on the scanned surface. Accordingly, it is believed that the invention would not have been obvious from Chiku or from Chiku in any permissible combination with the cited secondary references.

Applicant's undersigned attorney may be reached in our Costa Mesa, California, office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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